IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**
**WRIT PETITION NO : 16719 of 2004**

Between:
Smt.Veenam Veena W/o.Saibaba
Vani Niketan High School, Denabad Colony, Warangal.
**..... PETITIONER**

AND

1 The Government of A.P. rep by its Principal Secretary, Education Dept.,
Secretariat, Hyderabad.
2 The Director of School Education Govt. of A.P. Hyderabad.
3 The District Educational Officer Warangal District at Warangal.
**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not paying the arrears to the petitioner from 13.2.1987 to 31-10-1989 as illegal, improper, arbitrary, null and void and consequently direct the respondents to pay the arrears to the petitioner from 13.2.1987 to 31.10.1989 in the interest of justice.

**Counsel for the Petitioner: MR.M.YESHWANTH KUMAR**

**Counsel for the Respondents: GP FOR SCHOOL EDUCATION**

**The Court made the following :**

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***ORDER***

The Petitioner is working as a school assistant in a school under the control of the respondents. She contends that she was appointed as School Assistant on 13.2.1987 into the management post and subsequently the post was admitted into grant-in-aid vide G.O. Ms. No. 326 dated 17.10.1989 with effect from 1.11.1989 and her arrears of salary were not paid as per the terms and conditions of the said G.O. and as on the date of filing of this petition, arrears remain due to her are from 13.2.1987 to 31.10.1989. Many teachers and schools made several representations to the Government requesting to pay the arrears to them as per the said G.O., but the Government refused to pay the arrears from 1-6-1985 to 30-10-1989 on the ground of financial stringency. Questioning such order, many teachers filed W.P. No. 15879 of 1990 and it was allowed on 27.7.1995 directing the Government to pay arrears to the petitioners therein. The Writ Appeal No. 1745 of 1995 preferred by the respondents was also dismissed on 6.8.1996 confirming the order of the learned single Judge and it was reported in 1996(3) ALD 1098(D.B). When the Government carried the matter to the Supreme Court, it was

also dismissed on 7.8.2000. The Supreme Court observed that the arrears should be released in favour of the writ petitioners therein. Petitioner further submits that at last the Government issued G.O. Rt No. 144 dated 14.11.2000 by implementing the orders of the Court and accordingly all the arrears which were due to the petitioners therein were released in their favour. Petitioner contends that she also stands on the similar footing and hence she is entitled for the arrears as prayed for.

A learned single Judge of this Court in W.P. 5256 of 2001 passed order on 8.8.2004 by following a judgment in GOVERNMENT OF A.P. v. G.V.K. GIRLS HIGH SCHOOL[1] rendered in W.A. No. 1745 of 1995, directing the respondents therein to release arrears to some of the teachers of the schools to which they belong.

Therefore, in the light of the facts and circumstances placed by the petitioner and in the light of the earlier judgments of this Court, respondents are directed to pay arrears to the petitioner also, from the date of her appointment i.e. 13.2.1987 to 30-10-1989, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is allowed.

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Kvsn 17-09-2004

To

1 The Principal Secretary, Education Department, Government of A.P. Secretariat, Hyderabad.
2 The Director of School Education Govt. of A.P. Hyderabad.
3 The District Educational Officer Warangal District at Warangal.
4 The G.P. for School Education, High Court buildings, Hyderabad.
5 Two C D copies.

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[1] 1996(3) ALD 1098 (DB)